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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 14

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Angola, Barbados, Brazil, Burundi*, Cameroon, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Ethiopia*, Gabon, Guatemala, Haiti*, Indonesia, Kenya, Lesotho, Madagascar*, Malawi, Mauritania, Mauritius*, Morocco*, Nigeria, Rwanda*, Senegal*, Sudan, Syrian Arab Republic, Togo, Tunisia, United Republic of Tanzania*, Zambia* and Zimbabwe*:
draft resolution

The Commission on Human Rights,

Reaffirming the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its conviction that racism, racial discrimination and apartheid constitute a total negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

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* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Reaffirming its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and apartheid,

Recalling its resolution 1993/11 of 26 February 1993,

Recalling the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,

Bearing in mind General Assembly resolutions 3057 (XXVIII) of 2 November 1973, on the First Decade for Action to Combat Racism and Racial Discrimination, and 38/14 of 22 November 1983, on the Second Decade to Combat Racism and Racial Discrimination,

Recalling the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983,

Welcoming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given to the programme of action for the elimination of racism, racial discrimination, xenophobia and related intolerance,

Welcoming also the decision by the Economic and Social Council to appoint a special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Bearing in mind the measures taken by the South African authorities to repeal or amend the major laws which had constituted the pillars of apartheid, as well as the progress made towards the establishment of a democratic, non-racial and united South Africa,

Convinced of the need to ensure and support the peaceful transition towards a democratic and non-racial South Africa,

Reaffirming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, unanimously adopted by the General Assembly at its sixteenth special session, on 14 December 1989, which offers guidelines on how to end apartheid,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two Decades to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism, racial discrimination and apartheid,

Recognizing the importance of strengthening, where necessary, national legislation and institutions for the promotion of racial harmony,

Aware of the importance and the magnitude of the phenomenon of migrant workers, as well as the efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption by the General Assembly at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Aware that indigenous people are at times victims of particular forms of racism and racial discrimination,

Welcoming General Assembly resolution 48/91 of 20 December 1993, whereby the General Assembly decided to proclaim a Third Decade to Combat Racism and Racial Discrimination, beginning in 1993, and to adopt the Programme of Action proposed for the Third Decade,

Taking note of the Secretary-General's note (E/CN.4/1994/63) transmitting the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination,

1. Declares that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. Commends all States that have ratified or acceded to the relevant international instruments to combat racism and racial discrimination;

3. Appeals to those States that have not yet done so to consider ratifying, acceding to and implementing the relevant international instruments, particularly the International Convention on the Elimination of All Forms of

Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention against Discrimination in Education;

4. Urges all Governments to take all necessary measures to combat new forms of racism, in particular by ongoing adjustment of the methods used to combat them;

5. Invites all Governments and international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of these evils;

6. Invites the Secretary-General to take action to coordinate all the programmes currently being carried out by United Nations bodies with a view to achieving the objectives of the Third Decade;

7. Requests the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;

8. Also requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities and those of migrant workers in the field of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of that discrimination;

9. Calls upon all member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families as a matter of priority, with a view to its soon being able to enter into force;

10. Urges the Secretary-General, United Nations bodies and specialized agencies, all Governments, intergovernmental organizations and relevant non-governmental organizations in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous peoples;

11. Requests the Secretary-General to publish and distribute as soon as possible the revised model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination;

12. Invites the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and education activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

13. Regrets that some of the activities scheduled for the Second Decade to Combat Racism and Racial Discrimination have not been implemented because of lack of adequate resources;

14. Calls upon the international community to provide the Secretary-General with appropriate financial resources for efficient action against racism and racial discrimination;

15. Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the Third Decade to Combat Racism and Racial Discrimination;

16. Considers that voluntary contributions to the Trust Fund for the Programme for the Decade to Combat Racism and Racial Discrimination are indispensable for the implementation of the Programme;

17. Strongly appeals, therefore, to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund, and to this end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

18. Requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 1994-1995;

19. Takes note of the report of the Secretary-General on the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/48/423);

20. Recommends that the activities mentioned in the report of the Secretary-General be undertaken during the Third Decade to Combat Racism and Racial Discrimination and be reviewed at mid-term;

21. Decides to establish a focal point within the United Nations Centre for Human Rights, which will be responsible for reviewing information concerning activities carried out within the framework of the Third Decade and making specific recommendations on activities to be undertaken;

22. Requests the Secretary-General to submit to the Commission on Human Rights a detailed annual report on:

(a) all activities of United Nations bodies and the specialized agencies, analysing information received on such activities to combat racism and racial discrimination;

(b) measures to be taken to improve the coordination of the activities of the Programme of Action or to supplement, on the basis of the discussions in plenary, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination;

23. Recalls how important it is to assign the highest priority to the activities of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination aimed at monitoring the transition from apartheid to a non-racial society in South Africa;

24. Calls upon all Governments to encourage further positive change in South Africa based on the guidelines set out in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular by adopting effective measures to support and ensure the peaceful transition to a non-racial and democratic society in South Africa;

25. Decides to consider at its fifty-first session, as a matter of high priority, the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

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Agenda item 14

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Denmark*, Finland, Norway*, Romania, Sweden*, Turkey* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The Commission on Human Rights,

Recalling its resolution 1993/20 of 2 March 1993,

Recalling also General Assembly resolutions 48/91 of 20 December 1993 and 48/148 of 20 December 1993,

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given to the Programme of Action for the Elimination of Racism, Racial Discrimination, Xenophobia and Other Forms of Intolerance,

Noting resolution 1993/3 of 16 August 1993 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Mindful of the report of the Secretary-General on measures to combat racism and racial discrimination submitted to the Sub-Commission at its forty-fourth session (E/CN.4/Sub.2/1992/11),

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Having examined the first report (E/CN.4/1994/66) of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Concerned that despite efforts, racism, racial discrimination, anti-Semitism, xenophobia and related intolerance, as well as acts of racial violence, persist, and are even growing in magnitude, continually assuming new forms,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as an institutionalized governmental policy, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance taking place in segments of many societies and perpetrated by individuals or groups,

1. Expresses its appreciation to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for his report (E/CN.4/1994/66);

2. Welcomes the proclamation by the General Assembly of the Third Decade to Combat Racism and Racial Discrimination beginning in 1993 and the Programme of Action for the Third Decade;

3. Also welcomes the Special Rapporteur's proposal concerning the organization of an interdisciplinary seminar on the problems of the theoretical aspects and specific manifestations of contemporary forms of racism, racial discrimination and xenophobia;

4. Requests the Special Rapporteur to examine, in accordance with his mandate, incidents and governmental measures and to report on these matters to the Commission at its fifty-first session;

5. Also requests the Special Rapporteur to have an exchange of views with the various relevant mechanisms and treaty bodies within the United Nations system, including the Committee on the Elimination of Racial Discrimination, in order to further enhance their effectiveness and mutual cooperation;

6. Calls upon all Governments, intergovernmental organizations, relevant organizations of the United Nations system, as well as the non-governmental organizations, to supply information to the Special Rapporteur;

7. Encourages the Special Rapporteur in close consultation with Governments, relevant organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations to present further recommendations concerning human rights education with a view to preventing actions giving rise to racism and racial discrimination;

8. Requests the Special Rapporteur to use any information that he might deem relevant to his mandate;

9. Encourages Governments to cooperate closely with the Special Rapporteur with a view to enabling him to fulfil his mandate;

10. Regrets that the Special Rapporteur encountered difficulties in preparing his first report, owing to the lack of necessary resources;

11. Requests the Secretary-General without further delay to provide the Special Rapporteur with all the necessary assistance to carry out his mandate and to enable him to submit a comprehensive report to the Commission at its fifty-first session.

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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Denmark*, Finland, Norway*, Romania, Sweden* and Turkey*: draft resolution

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The Commission on Human Rights,

Recalling and reaffirming its resolution 1993/20 of 2 March 1993,

Recalling also General Assembly resolutions 48/91 of 20 December 1993 and 48/148 of 20 December 1993,

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given to the Programme of Action for the Elimination of Racism, Racial Discrimination, Xenophobia and Other Forms of Intolerance,

Noting resolution 1993/3 of 16 August 1993 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Mindful of the report of the Secretary-General on measures to combat racism and racial discrimination submitted to the Sub-Commission at its forty-fourth session (E/CN.4/Sub.2/1992/11),

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Having examined the first report (E/CN.4/1994/66) of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Concerned that despite efforts, racism, racial discrimination, anti-Semitism, xenophobia and related intolerance, as well as acts of racial violence, persist, and are even growing in magnitude, continually assuming new forms,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as an institutionalized governmental policy, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance taking place in segments of many societies and perpetrated by individuals or groups, some of which are directed against migrant workers,

1. Takes note of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1994/66);

2. Welcomes the proclamation by the General Assembly of the Third Decade to Combat Racism and Racial Discrimination beginning in 1993 and the Programme of Action for the Third Decade;

3. Also welcomes the Special Rapporteur's proposal concerning the organization of an interdisciplinary seminar on the problems of the theoretical aspects and specific manifestations of contemporary forms of racism, racial discrimination and xenophobia;

4. Requests the Special Rapporteur to examine according to his mandate, incidents of contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as governmental measures to overcome them, and to report on these matters to the Commission at its fifty-first session;

5. Also requests the Special Rapporteur to have an exchange of views with the various relevant mechanisms and treaty bodies within the United Nations system, including the Committee on the Elimination of Racial Discrimination, in order to further enhance their effectiveness and mutual cooperation;

6. Calls upon all Governments, intergovernmental organizations, relevant organizations of the United Nations system, as well as the non-governmental organizations, to supply information to the Special Rapporteur;

7. Encourages the Special Rapporteur in close consultation with Governments, relevant organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations to present further recommendations concerning human rights education with a view to preventing actions giving rise to racism and racial discrimination, xenophobia and related intolerance;

8. Requests the Special Rapporteur to use any information that he might deem relevant to his mandate as established in Commission resolution 1993/20 of 2 March 1993;

9. Encourages Governments to cooperate closely with the Special Rapporteur with a view to enabling him to fulfil his mandate;

10. Regrets that the Special Rapporteur encountered difficulties in preparing his first report, owing to the lack of necessary resources;

11. Requests the Secretary-General without further delay to provide the Special Rapporteur with all the necessary assistance in carrying out his mandate and enabling him to submit an interim report to the General Assembly at its forty-ninth session and a comprehensive report to the Commission at its fifty-first session.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 6

ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME IN SOUTH AFRICA

Algeria*, Angola, Burundi*, Cameroon, China, Costa Rica, Cuba, Ethiopia*, Iran (Islamic Republic of), Kenya, Lesotho, Madagascar*, Malawi, Mauritania, Nigeria, Senegal*, Sudan, Tunisia, Zambia* and Zimbabwe*: draft resolution

Monitoring and assisting the transition to democracy in South Africa

The Commission on Human Rights,

Recalling Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1992/6 of 21 August 1992,

Taking note of Economic and Social Council resolution 1993/45 of 28 July 1993 in which the Council authorized the Sub-Commission to entrust Ms. Judith Sefi Attah with the task of presenting annually a report on the transition to democracy in South Africa,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Conscious of General Assembly resolution 48/1 of 8 October 1993 on the lifting of economic sanctions against South Africa and resolution 48/159 of 20 December 1993 on the elimination of apartheid and establishment of a united, democratic and non-racial South Africa in which the Assembly called upon all Governments to observe fully the mandatory arms embargo imposed by the Security Council,

Welcoming the progress made so far by the Government of South Africa towards the holding of the first non-racial elections,

Having considered the report of the Special Rapporteur (E/CN.4/Sub.2/1993/11/Add.1) highlighting the progress made so far by the Government of South Africa and the likely impediments to a smooth transition to democracy in South Africa,

Concerned about the danger posed by the continuing incidence of violence and political intolerance which might impede the smooth transition to democracy,

Mindful of the other impediments to the smooth democratization of South Africa including, inter alia, the legacy of apartheid which denied the majority of Africans equal access to the realization of their economic, social, cultural, civil and political rights,

1. Takes note with appreciation of the report of the Special Rapporteur (E/CN.4/Sub.2/1993/11/Add.1) on the positive developments in South Africa;

2. Stresses the importance of the removal of all obstacles to the transition to democratic rule in South Africa;

3. Also stresses the need for the Government of South Africa to create an environment conducive to the realization by the individual of his/her economic, social and cultural rights and the exercise of his/her civil and political rights;

4. Calls upon all States to comply fully with the arms embargo imposed by the Security Council on South Africa until the Security Council decides otherwise;

5. Endorses all the recommendations of the Special Rapporteur contained in her report and requests the Secretary-General to ensure their speedy implementation;

6. Calls upon the Centre for Human Rights to make available, on request, its programme of advisory services and technical assistance to the democratically elected Government of South Africa;

7. Requests the Special Rapporteur to undertake two missions to South Africa in 1994 to gain further insights into the whole process of transition to democracy in South Africa and to report to the Commission at its fifty-first session;

8. Requests the Secretary-General to provide the Special Rapporteur with all the necessary assistance to enable her to carry out this mandate;

9. Decides, in view of the changing situation in South Africa, to replace the agenda item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa" with an item entitled "Monitoring and assisting the transition to democracy in South Africa";

10. Also decides to consider the issues to be raised by the Special Rapporteur in her report to the fifty-first session of the Commission under the new agenda item.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 15

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Australia, Austria, Bulgaria, Chile, Costa Rica, Czech Republic*, Denmark*, Estonia*, Finland, Hungary, Iceland*, Italy, Latvia*, Madagascar*, Netherlands, New Zealand*, Nicaragua*, Norway*, poland, Portugal*, Romania, Russian Federation, Slovakia*, Spain*, Sweden*, Switzerland*: draft resolution

Status of the International Covenants on Human Rights

The Commission on Human Rights,

Recalling its resolution 1993/15 of 26 February 1993 and General Assembly resolution 48/119 of 20 December 1993,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the heart of the International Bill of Human Rights,

Having considered the report of the Secretary-General on the status of the International Covenants on Human Rights (E/CN.4/1994/67),

Recalling the entry into force on 11 July 1991 of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Welcoming the fact that recent ratifications of or accessions to the Covenants have increased the total number of States parties to each of them quite significantly, while noting at the same time that many States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Bearing in mind the successful conclusion of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and the adoption of the Vienna Declaration and Programme of Action, and taking into account in particular the call for strengthening and further implementation of the human rights instruments,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. Appeals strongly to all States that have not yet become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights to do so, as well as to accede to the Optional Protocols to the International Covenant on Civil and Political Rights and to make the declaration provided for in its article 41;

3. Invites the Secretary-General to intensify systematic efforts to encourage States to become parties to the Covenants and, through the programme of advisory services in the field of human rights, to provide such services as may be sought by States that are not parties to the Covenants, with a view to assisting them to ratify or accede to them and to the Optional Protocols to the International Covenant on Civil and Political Rights;

4. Emphasizes the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

5. Encourages States to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise contrary to international law;

6. Also encourages States parties to review periodically any reservations made in respect of the provisions of the International Covenants on Human Rights with a view to withdrawing them;

7. Stresses to States parties the importance of avoiding the erosion of human rights by derogation, and underlines the necessity for strict observance of the agreed conditions and procedure for derogation under article 4 of the International Covenant on Civil and Political Rights and the need for States parties to provide full and timely information also during states of emergency, so that the justification and appropriateness of measures taken in these circumstances can be assessed;

8. Expresses its satisfaction with the serious and constructive manner in which the Human Rights Committee and the Committee on Economic, Social and Cultural Rights are undertaking their functions, and welcomes further efforts of the Committees to improve their methods of work as well as to pay due attention to equal enjoyment of human rights by women and men;

9. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights, and appeals to other bodies dealing with similar questions of human rights to respect these uniform standards as expressed in the general comments of the Human Rights Committee;

10. Also welcomes the efforts of the Committee on Economic, Social and Cultural Rights in the preparation of general comments on the provisions of the International Covenant on Economic, Social and Cultural Rights;

11. Urges States parties to fulfil in good time their reporting obligations under the International Covenants on Human Rights and in their reports to make use of gender-disaggregated data;

12. Also urges States parties to take duly into account, in implementing the provisions of the Covenants, the observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights;

13. Invites States parties to give particular attention to dissemination at the national level of the reports they have submitted to the Human Rights

Committee and the Committee on Economic, Social and Cultural Rights, the summary records relating to the examination of those reports by the Committees and the observations made by the Committees at the conclusion of the consideration of the reports;

14. Encourages once again all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many languages as possible and to disseminate them as widely as possible in order to make them better known among the general public;

15. Requests the Secretary-General to consider ways and means of assisting States parties to the Covenants in the preparation of their reports, including seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and the exploration of other possibilities available under the regular programme of advisory services in the field of human rights;

16. Also requests the Secretary-General to provide the Human Rights Committee with additional means to deal effectively and in a timely manner with the increasing workload under the First Optional Protocol, as well as one additional week of meetings during 1994, as an extended session;

17. Further requests the Secretary-General to submit to the Commission on Human Rights, at its fifty-first session, a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations.

18. Decides to include in the provisional agenda of its fifty-first session the agenda item entitled "Status of the International Covenants on Human Rights".

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Agenda item 7

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Angola, Costa Rica, Cuba, Democratic People's Republic of Korea*, Guatemala*, Iran (Islamic Republic of), Jordan*, Libyan Arab Jamahiriya, Madagascar*, Mexico, Nigeria, Philippines*, Sri Lanka, Sudan, Syrian Arab Republic, Venezuela: draft resolution

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development

The Commission on Human Rights,

Recalling that the purpose of the Universal Declaration of Human Rights is the full promotion and protection of human rights and fundamental freedoms, namely, civil, political, economic, social and cultural,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling further General Assembly resolution 32/130 of 16 December 1977,

Reaffirming the Declaration on Social Progress and Development proclaimed by the General Assembly in its resolution 2542 (XXIV) of 11 December 1969 and the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Bearing in mind resolutions 1989/20 and 1989/21 of 31 August 1989, 1990/16 of 30 August 1990, 1991/27 of 29 August 1991, 1992/29 of 27 August 1992 and 1993/40 of 26 August 1993 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recognizing that the activities of the various organizations in the United Nations system should be closely interrelated and that it is necessary to draw on all the efforts made in the various disciplines relating to man in order to promote all his rights effectively,

Having in mind the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children on 30 September 1990 (E/CN.4/1991/59, annex),

Having in mind also the considerations of the World Bank contained in the publication World Debt Tables 1991-1992 (vol. 1) of December 1991, relating to the external debt of developing countries,

Aware that the serious problem of foreign debt remains one of the most acute factors adversely affecting economic and social development and the living standards of the inhabitants in many developing countries, with serious effects of a social nature,

Concerned about the repercussions of structural adjustment programmes in the realization of economic, social and cultural rights,

Deeply concerned that the debt-service obligations remain high, that the factors determining the capacity to pay have not moved in consonance with the debt-service obligations of the majority of developing countries, and that the prospects for reducing the adverse effects of the debt burden on the development process in developing countries continue to be uncertain,

Noting with regret that the negative effects of the policies adopted to face situations of external debt on the enjoyment of economic social and cultural rights,

Stressing that measures for debt reduction also need to be accompanied by vigorous efforts to improve the international economic environment in order to facilitate the growth and development of developing countries,

Considering that the new strategies for solving the debt problem, of both official and private origin, require policies of economic adjustment accompanied by growth and development and that it is essential, within those policies, to give priority consideration in their implementation to human conditions, including standards of living, health, food, education and employment of the population, especially among the most vulnerable and low-income groups,

Taking into account the particular concern expressed by the General Assembly at the growing deterioration of living conditions in the developing world, at its negative effects on the full enjoyment of human rights, and especially at the very serious economic situation of the African continent and at the terrible effects of the heavy burden of external debt on the developing countries,

Recalling its resolutions 1989/15 of 2 March 1989, 1990/17 and 1990/18 of 23 February 1990, 1991/13 of 22 February 1991, 1992/9 of 21 February 1992 and 1993/12 of 26 February 1993,

1. Stresses the importance of alleviating the debt and debt-service burdens of developing countries with debt problems in the framework of the realization of economic, social and cultural rights;

2. Also stresses the need to implement additional debt-reduction measures, including further cancellation or reduction of part of the official debt or debt-service, and the adoption of more urgent actions with regard to the commercial debt owed by developing countries;

3. Emphasizes that, in addition to debt-relief measures that include debt and debt-service reduction, there is a need for new financial flows to debtor developing countries, and urges the creditor countries and the multilateral financial institutions to continue to extend concessional financial assistance in order to support the implementation by the developing countries of their economic reform programmes, so as to enable them to achieve adequate technological and productive progress and extricate themselves from the debt overhang and to assist them in achieving economic growth and development;

4. Affirms that debt payments should not take precedence over the basic rights of the people of debtor countries to food, shelter, clothing, employment, health services and a healthy environment;

5. Requests the Working Group on the Right to Development to pay particular attention in its deliberations to the social repercussions that the policies being imposed to ensure debt payment by developing countries have and how they hinder the effective enjoyment of all human rights by the people of those countries;

6. Requests the Secretary-General, in accordance with the commitment derived from part I, paragraph 12, of the Vienna Declaration and Programme of Action, to request the Governments of creditor countries to provide detailed information on the actions being taken to alleviate the debt burden of developing countries, and to submit to the Commission on Human Rights at its fifty-first session a compilation of the information requested;

7. Also requests the Secretary-General to submit, in a process of high-level consultations with heads of State or Government, as well as heads of the multilateral financial institutions and specialized agencies, a report to the Commission on Human Rights at its fifty-first session on the adequate measures to

be implemented in order to find a durable solution to the debt crisis of developing countries so that they may fully enjoy all human rights;

8. Decides to continue to consider, at its fifty-first session, the agenda item entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development".

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 7

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Australia, Austria, Belgium*, Bulgaria, Chile, Costa Rica, Czech Republic*, Denmark*, Finland, Germany, Hungary, Latvia*, Madagascar*, Peru, Poland, Portugal*, Russian Federation, Slovakia* and United Kingdom of Great Britain and Northern Ireland: draft resolution

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

The Commission on Human Rights,

Recalling that the peoples of the United Nations have reaffirmed in the Charter of the United Nations their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and have determined to promote social progress and better standards of living in larger freedom,

Mindful that the Universal Declaration of Human Rights provides that all persons are entitled to the realization of their economic, social and cultural rights, which are indispensable to their dignity and the free development of their personality,

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and freedoms are universal, indivisible, interdependent and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Convinced that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, which has underlined the need for a concerted effort to ensure recognition of economic, social and cultural rights at the national, regional and international levels,

Recognizing that, in accordance with the provisions of the International Covenant on Economic, Social and Cultural Rights, Member States, individually and through international cooperation, should intensify their efforts to secure an adequate standard of living for all people, giving priority to those living in extreme poverty,

Recalling the essential importance of national efforts and international solidarity and cooperation based on free consent to the realization of the right of all persons to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to a continuous improvement in living conditions,

Conscious of the need to secure full respect for the rights contained in the International Covenant on Economic, Social and Cultural Rights, including the rights of the most vulnerable and disadvantaged,

Welcoming the decision taken by the General Assembly, in its resolution 47/92 of 16 December 1992, to convene a World Summit for Social Development, to take place at Copenhagen in 1995, which will have among its objectives to put the needs of individuals at the centre of development and of international cooperation and to identify common problems of socially marginalized and disadvantaged groups and promote their integration into society,

Emphasizing the importance of the Limburg Principles on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/CN.4/1987/17),

Recognizing that popular participation in its various forms is an important factor in development and in the full realization of all human rights,

Reaffirming the importance of increasing public awareness of the Committee on Economic, Social and Cultural Rights and the role that non-governmental organizations can play in that regard,

Recalling that the World Conference on Human Rights encouraged the Commission on Human Rights, in cooperation with the Committee on Economic, Social and Cultural Rights, to continue the examination of optional protocols to the International Covenant on Economic, Social and Cultural Rights,

Welcoming the efforts made with a view to an intensive study of the International Covenant on Economic, Social and Cultural Rights, and recognizing the urgent need for an effective multidisciplinary approach to the promotion and protection of the rights contained in the Covenant,

Recalling its resolution 1993/14 of 26 February 1993,

1. Affirms that the full respect for the rights contained in the International Covenant on Economic, Social and Cultural Rights is inextricably

linked with the process of development, the central purpose of which is the realization of the potentialities of the human person in harmony with the effective participation of all members of society in relevant decision-making processes as agents and beneficiaries of development, as well as fair distribution of the benefits of development;

2. Welcomes the important work of the Committee on Economic, Social and Cultural Rights in its continuing efforts to give impetus to the implementation process and to develop greater in-depth understanding of the relevant issues of the International Covenant on Economic, Social and Cultural Rights by holding general discussions on specific rights or articles and by adopting general comments;

3. Takes note with interest of the Committee's decision to hold in 1994 two general discussions, on the role of social safety nets as a means of protecting economic, social and cultural rights with particular reference to situations involving major structural adjustment and/or transition to a free market economy, and on human rights education and public information activities;

4. Encourages States parties to continue to give their full support and cooperation to the Committee and to use their reporting obligation as a process to assist the realization of economic, social and cultural rights, ensuring popular participation in the national consideration of their periodic reports, as well as the widest possible distribution of those reports at the national level;

5. Urges all States parties to submit their reports in a regular and timely manner, as recommended in the Vienna Statement of the International Human Rights Treaty Bodies, adopted during the World Conference on Human Rights (A/CONF.157/TBB/4);

6. Takes note of the steps taken by the Committee on Economic, Social and Cultural Rights for the drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights granting the right of individuals or groups to submit communications concerning non-compliance with the Covenant, and invites the Committee to report thereon to the Commission on Human Rights at its fifty-first session;

7. Notes with interest the conclusions and recommendations of the seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, held at Geneva in January 1993, and recognizes the importance of using indicators as a means of measuring or assessing progress in the realization of human rights, as referred to in the Vienna Declaration and Programme of Action;

8. Recommends that, as a follow-up to the seminar on indicators, the Centre for Human Rights convene expert seminars for chairpersons of the human rights treaty monitoring bodies and representatives of specialized agencies and non-governmental organizations, focused on specific economic, social and cultural rights, with a view to clarifying the particular content of these rights, as well as the nature of States parties' obligations;

9. Invites Member States, when including measures to ensure the promotion and protection of human rights in national legislation, policies and development programmes, to consider the desirability of drawing up a national action plan identifying steps to improve the situation of human rights, as well as to seek the participation of communities affected by the non-realization of these rights;

10. Invites States parties to the International Covenant on Economic, Social and Cultural Rights, in the light of its article 2 and of General Comment No. 3 (1990) adopted by the Committee on Economic, Social and Cultural Rights (E/1991/23, annex III), to identify specific national benchmarks designed to give effect to the minimum core obligation to ensure the satisfaction of the minimum essential levels of each of the rights;

11. Reaffirms the importance of ensuring the study of specific economic, social and cultural rights, and in this framework recognizes the interest of the progress report on the right to adequate housing, submitted by Mr. Rajindar Sachar, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to the Sub-Commission at its forty-fifth session (E/CN.4/Sub.2/1993/15);

12. Takes note with interest of the decision of the Sub-Commission, contained in its resolution 1993/40 of 26 August 1993, to entrust Mr. Asbjørn Eide with the task of producing a preparatory document on the

relationship between the enjoyment of human rights, particularly economic, social and cultural rights, and income distribution, and encourages the Sub-Commission to continue to give attention to this issue;

13. Takes note with deep appreciation of the reports on the realization of economic, social and cultural rights submitted by the Special Rapporteur of the Sub-Commission, Mr. Danilo Türk, and reaffirms its requests to the Secretary-General to ensure the publication of the study of the Special Rapporteur in a single document;

14. Welcomes the suggestion made by the Special Rapporteur that cooperation between the financial institutions and the human rights organs of the United Nations be strengthened, in particular by encouraging the participation of the representatives of those institutions in the meetings of the human rights organs;

15. Also welcomes the dialogue which has been established between human rights bodies, in particular the Centre for Human Rights as a coordinating focal point, and other bodies of the United Nations system, including the international financial institutions, and encourages these bodies to increase their participation in the meetings of human rights bodies, including the treaty monitoring bodies;

16. Requests the Secretary-General to invite the international financial institutions to continue considering the possibility of organizing an expert seminar on the role of these institutions in the realization of economic, social and cultural rights;

17. Also requests the Secretary-General to continue to promote coordination of the human rights activities of the United Nations and those of development agencies with a view to drawing upon their relevant expertise and support;

18. Encourages the Centre for Human Rights to make available, through its programme of advisory services and technical assistance, expert assistance to States for the purpose of formulating policies on economic, social and cultural rights, developing the implementation of coherent and comprehensive plans of action for the promotion and protection of human rights, as well as developing adequate means for evaluating and monitoring their realization;

19. Decides to consider issues raised by the present resolution at its fifty-first session under the appropriate agenda item.

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 15

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Argentina*, Australia, Czech Republic*, Italy, Poland, Portugal*, Slovakia*, Russian Federation and United Kingdom of Great Britain and Northern Ireland: draft resolution

Succession of States in respect of international human rights treaties

The Commission on Human Rights,

Recalling its resolution 1993/23 of 5 March 1993,

Bearing in mind relevant decisions of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination on succession issues, in respect of international obligations in the field of human rights,

Taking note of the report of the Secretary-General (E/CN.4/1994/68) on action taken for the implementation of Commission on Human Rights resolution 1993/23,

Welcoming the recommendation of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, to encourage and facilitate the ratification of and accession or succession to international human rights treaties and protocols,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Emphasizing once again the special importance of the observance of universal norms and standards on human rights for the maintenance of stability and the rule of law in any State and noting in this connection the paramount responsibility of each State to promote, protect and secure the full realization of all human rights and fundamental freedoms,

Taking note of progress made in the confirmation by some successor States of their obligations under international human rights treaties,

1. Reiterates its call to successor States which have not yet done so to confirm to appropriate depositories that they continue to be bound by obligations under international human rights treaties;

2. Emphasizes the special nature of the human rights treaties aimed at the protection of human rights and fundamental freedoms;

3. Requests the human rights treaty bodies to consider further the issue of the continuing applicability of the respective international human rights treaties to successor States, with the aim of assisting them in meeting their obligations;

4. Requests the Secretary-General to encourage successor States to confirm their obligations under the international human rights treaties to which their predecessors were a party, as from the date of their independence;

5. Requests the Secretary-General to report to the Commission at its fifty-first session in regard to action taken under this agenda item.

6. Decides to continue the consideration of this question at its fifty-first session under the agenda item entitled "Status of the International Covenants on Human Rights".

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